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SEP 14 2017	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

1 STEVEN W. MYHRE  
 2 Acting United States Attorney  
 3 SHANNON M. BRYANT (SBN #6917)  
 Assistant United States Attorney  
 100 W. Liberty Street, Ste. 600  
 Reno, NV 89501  
 4 Telephone: (775) 784-5438  
 Facsimile: (775) 784-5181  
Shannon.Bryant@usdoj.gov  
 5 Representing the United States of America  
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7  
 8 UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

9 \* \* \* \* \*

10 UNITED STATES OF AMERICA,

11 Plaintiff,  
 12 vs.

13 DANIEL O'BRIEN,

14 Defendant.

Case No. 3:17-cr-00048-HDM-WGC

SUPERSEDING INFORMATION FOR  
 VIOLATION OF:

TITLE 18, UNITED STATES CODE,  
 SECTION 2252A(a)(2) and (b) –  
 Distribution of Child Pornography (Count 1)

15  
 16 THE UNITED STATES ATTORNEY CHARGES THAT:

17 **Count One – Distribution of Child Pornography**

18 Between an unknown date to on or about November 17, 2016, in the District of Nevada,  
 19 the defendant, DANIEL O'BRIEN, did knowingly distribute child pornography, as defined in  
 20 Title 18, United States Code, Section 2256(8), and material containing child pornography, that  
 21 had been mailed, that had been shipped and transported in and affecting interstate and foreign  
 22 commerce by any means including by computer, and that had been shipped and transported using  
 23 any means and facility of interstate and foreign commerce, in violation of Title 18, United States  
 24 Code, Section 2252A(a)(2) and (b).

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## **Forfeiture Provision**

Through the criminal activity described in Count One, which allegations are hereby incorporated herein by reference, the defendant DANIEL O'BRIEN, if convicted of Count One, shall forfeit to the United States any and all matter which contains visual depictions produced, transported, mailed, shipped or received in violation of such offense; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and any property, real or personal, used or intended to be used to commit or promote the commission of such offense or any property traceable to such property. Such properties includes, but are not limited to, the following:

1. ZTE Cellular phone, model Z930L (IMEI: 860371021004274); and
2. Desktop Computer containing Seagate ST340014A 40GB Hard Drive, SN 0XECC360067107E.

All pursuant to Title 18, United States Code, Section 2253.

**STEVEN W. MYHRE**  
**Acting United States Attorney**

**SHANNON M. BRYANT**  
Assistant United States Attorney

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DANIEL O'BRIEN,  
Defendant.

Case No. 3:17-cr-00048-HDM-WGC

## WAIVER OF INDICTMENT

I, DANIEL O'BRIEN, the above-named defendant who is accused of having violated 18 U.S.C. §§ 2252A(a)(2) and (b), Distribution of Child Pornography, and being advised of the nature of the charges and of my rights, hereby waive in open court prosecution by indictment and consent that the proceeding may be by information instead of by indictment.

Daniel O'Brien  
DANIEL O'BRIEN  
Defendant

**KATE BERRY**  
Counsel for Defendant

**HONORABLE HOWARD D. MCKIBBEN**  
**United States District Judge**